

**BOARD MEETING MINUTES
SEPTEMBER 25, 2024 – 10:00 AM
REGULAR MEETING**

The Rockingham County Board of Elections met Tuesday, September 25, 2024 at 10:00 a.m. at the Rockingham County Governmental Center Commissioners Chambers.

Board Members Present: Ophelia Wright, Chair; Sarah Totten, Secretary; Nelson Cole, Member; Thurman Hampton, Member; and Tom Schoolfield, Member.

Staff Members Present: Paula Seamster, Director.

ITEM #1 – MEETING CALLED TO ORDER

Chair Wright called the Board meeting to order at 10:00 a.m. Chair Wright welcomed the Board members, those present in the meeting, and those who were watching online.

ITEM #2 – PLEDGE OF ALLEGIANCE

Chair Wright led the Pledge of Allegiance.

ITEM #3 – INVOCATION

Invocation was given by Dr. Curt Dean, Lawndale Baptist Church in Greensboro, NC.

ITEM #4 – APPROVAL OF THE AGENDA

Secretary Totten moved, seconded by Member Cole to approve the agenda. The motion carried unanimously.

ITEM #5 – APPROVAL OF MINUTES

Secretary Totten moved, seconded by Member Cole to approve the August 20, 2024 Regular Meeting minutes. The motion carried unanimously.

ITEM #6 – PUBLIC COMMENTS

There were no Public Comments.

ITEM #7 – MULTIPARTISAN ASSISTANCE TEAM (MAT) APPROVAL

The Director stated that in the Board's packet there was a list of individuals that have gone through the training to be Multipartisan Assistance Team (MAT) members. The Multipartisan Assistance Team consist of individuals that go out to the nursing homes, assisted living, and other facilities to help individuals get registered to vote, help to fill out absentee by mail request forms, as well as help individuals to vote for each election. She stated that once the Board approves the list of individuals, they will be approved for 2 years. The Director asked the Board for approval of these individuals to serve as the Multipartisan Assistance Team (MAT).

Chair Wright stated that she wanted to call to the attention of the Board that the party affiliations are listed on the side of the names so if there are questions from the public and there are 12 individuals listed.

Member Schoolfield asked if all of the individuals worked as a Team and asked the Director to explain how this worked. The Director responded that each of the care facilities will fill out a form informing us of how many individuals want to register to vote, how many want to fill out absentee by mail ballot requests, and how many want help with filling out their ballots. From this

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information a team will be put together based on those numbers. The Director stated that the minimum amount of MAT team members would be two, one from each of the parties which is the Republican and Democrat parties. She added that an unaffiliate could fill in as either of these parties. She stated that recently four members of the MAT team have been sent out, two from each party. Member Schoolfield asked if these individuals were volunteers or are they paid. The Director responded that the MAT members are paid.

Member Schoolfield moved, seconded by Member Hampton to approve the list of individuals to serve as the Multipartisan Assistance Team (MAT). The motion carried unanimously.

ITEM #8 – 2024 GENERAL ELECTION PRECINCT OFFICIALS APPOINTMENTS

Precinct Officials

The Director stated that at the last Board meeting the Board approved a list of the Chief Judges, Judges, and Precinct Officials. She added that since then staff had conducted more orientations and received the personnel paperwork on the individuals in the Board's packets and she asked for the Board's approval on the additional list of precinct officials.

Member Schoolfield asked how the list of names were received. The Director responded that these names were received both from a list from the State Board of Elections, some were referred by chief judges and precinct officials, and some of these we were waiting on their paperwork from the first approval process. Member Schoolfield stated that the reason for his question was that on the list there were 6 Democrats, 2 Republicans, and 3 Unaffiliated so these are the ones that are signing up. The Director responded that these individuals are the ones that have turned in their paperwork. She added that there have been more that have gone through the orientation but have not turned in their paperwork as of yet.

Chair Wright stated that it was good to have more than you need than to not have enough and she was sure that the other individuals would get their paperwork turned in.

Secretary Totten asked if these individuals were computer literate or do they get training on that. The Director responded that there is training for that and the training has begun. She added that a majority of the list are computer literate.

Chair Wright stated that she remembered the Director stating that she needed to move the duties and responsibilities around so they could be able to work in other stations. The Director responded that cross training is very important.

Member Hampton asked if staff intended to use these individuals in both Early Voting and Election Day. The Director responded that the intent is to use the new precinct officials during a couple hours during the Early Voting period however most of them will be working on Election Day.

Member Hampton moved, seconded by Secretary Totten to approve the 2024 General Election Precinct Officials as presented. The motion carried unanimously.

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ITEM #9 – BUFFER ZONES & ELECTIONEERING AREAS APPROVAL

The Director stated that she included in the Board's packet the General Statute NCGS 163-166.4. Limitation on activity in the voting place and in a buffer zone around it. She stated that the office had received quite a few complaints about the buffer zones and electioneering areas. The Director stated that a lot of people are concerned and feel like they are being rushed at, or pressured, or intimidated at the polls. She stated that the buffer zones have not been addressed since before 2016 so the Director and a temporary staff member visited all of the 15 voting precinct sites and the 4 early voting sites to try to get a good idea of what was needed at all of these sites as far as the buffer zone and electioneering areas. The Director stated that changes have been made at some of the sites especially the school voting locations. She stated that the buffer zone is no less than 25 feet and no more than 50 feet from the outside entrance door. The Director informed the Board that pictures were included in the Board's packets for all of the voting precincts. She stated that the buffer zones are the light colored half circles with the blue arrows and the recommended electioneering areas are the areas with the red arrows. The Director stated that the media, candidates, and electioneers are not allowed in the buffer zones, this is a protected area for the voters and the voting precinct. She stated that these are recommendations and if the Board does not agree with the recommendations changes can be made. The Director asked if the Board had any questions.

Secretary Totten asked if it were the voters who felt intimidated or rushed. The Director responded that it was voters who have called in.

Member Schoolfield stated that the Director made the statement that the zones had shrunk. The Director responded that the zones had gotten smaller. Member Schoolfield asked what the Director meant by this, a legal change or a physical change. The Director responded a physical change. Member Schoolfield stated so the buffer zone has not been enforced. The Director responded that this was correct and this is something that does need to be enforced because it is the law and it is in the general statutes. She added that it is a minimum of 25 feet.

The Director stated that this election will be huge and she did not want any problems or any complications as far as buffer zones and electioneering areas and that was the purpose of readdressing the issue. She stated that Elections is trying to look after the voters as well as the candidates and electioneers. The Director stated that she wanted everyone to be safe however the law needed to be followed and the buffer zones needed to be enforced.

Secretary Totten asked if NCGS 163-166.4 was an updated version or was it in the previous law book. The Director responded that as far as she knew this general statute had not been updated. She added that new laws that were changed this year did not affect the buffer zone; it affected the observers and being able to come in and walk around the voting enclosure.

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Member Schoolfield asked the Director what type of issues she expected if the Board approves the proposed buffer zones and electioneering areas. The Director responded that she hoped there would not be any issues however some individuals will not like it because they have been able to be within the 25 feet area in the past. She stated that the buffer zones will be marked. The Director stated that this was all about safety and not about punishment, it was about safety for everyone. Member Schoolfield stated that the other side of the coin is the amount of space that will be allotted for those who are working the polls. He asked if those dimensions had changed, are the areas smaller or larger. The Director stated that those area sizes have not changed however at the Board of Elections the electioneers will most likely fuss because they have been allowed closer than 25 feet in past elections. She added that now the electioneers will be in the grass, at the flagpole, and there will be one small corner on the sidewalk. Member Schoolfield asked if the Board of Elections knew how many people will be serving as electioneers. The Director responded that the Board of Elections never knows how many electioneers will show up. She added that how they determine how many will be at each precinct she did not know that. Secretary Totten stated that there was no way to gage that or to predict that. The Director responded no, this would be up to the parties and the candidates. Member Schoolfield stated that in the past there has been an issue where some want to put up big tables and little tables and he asked if it was time to look at that and say we cannot have anyone outside of these areas and share with them what we are wrestling with and have them to control how many people they have in there. He added that he can see that as a problem during this election. The Director responded that the Board of Elections cannot control the number of people but we do have that procedure that was established 2 years ago and that will be sent out again before this election so the parties will have that information. She added that the biggest thing is just to be kind to each other and being willing to share the space, it is called just being a good neighbor. Member Schoolfield agreed. The Director stated that Elections tries to give the electioneers a designated area but the only thing the Board of Elections can relay to the electioneers is they cannot be in the buffer zone. She stated that the main issue is the amount of space for parking at some of the precincts especially during Early Voting at the Eden Library. The Director stated that there will be “Voter Parking Only” signs that will be put up at the precincts that we do have issues with parking.

Member Schoolfield asked why the amount of electioneers cannot be limited. The Director responded that there was no law on limiting electioneers. She added that by law the number of Observers inside the polling area can be limited but not outside of the buffer zone with the electioneers. Chair Wright stated that the electioneers may see that there are too many present and speak with their party chair if they could go to another site or switch times. Secretary Totten stated the electioneers work in shifts to help to avoid congestion.

Chair Wright stated that the political parties will be made aware of any changes with the distance. The Director responded that this information will be sent out with the procedures that were established before. She stated that she would try to send this information out this week if the Board approves the

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changes. Chair Wright stated that the parties need to be informed 30 days before the election. The Director responded that this was correct and that was why it was on the agenda for today.

Chair Wright asked if there were any more questions.

Chair Wright stated that we need to make sure that the voters are comfortable voting and that they don't get intimidated and leave without voting.

Member Schoolfield moved to approve the buffer zones and to look into allocating appropriate space for electioneering.

Member Schoolfield stated that he thought if there were some guidelines that the electioneers would be more cooperative. The Director stated that this was what she had prepared, recommended electioneering areas. Member Schoolfield stated that this would be controlled by arrows on a piece of paper, he thought there should be something on the ground.

Member Cole stated that when he was running for office several electioneers went up to cars and he did not think that was appropriate and he did not know how to stop this. Chair Wright responded that this had not been seen in the county lately and she hoped that we would not see that.

Member Schoolfield stated that he had a motion on the floor and he wanted to amend it.

Member Schoolfield moved, seconded by Member Cole to approve the buffer zones for all locations as presented and asked that the staff contact the major parties for their input on how to control the electioneers.

Member Schoolfield stated that he thought this would give the political parties an awareness that there could be concerns and they could help the Board of Elections with defining the electioneering areas. Chair Wright responded that she thought this was a good idea especially when planning things like this giving them the opportunity to share some input. Member Schoolfield stated that they would feel a part of it and they would be more willing to enforce it. He added that the Board of Elections would be asking the parties to help establish the location of the electioneering areas.

Upon a vote on the motion, the motion carried unanimously.

ITEM #10 – DIRECTOR'S UPDATES

2024 General Election Information

The Director stated that the 2024 General Election Early Voting Schedule and the 2024 General Election Schedule have been posted to the Board of Elections website. She added that 910 Absentee by Mail ballots were mailed out yesterday, September 24th. The Director stated that 29 Overseas ballots and 16 Military ballots had been emailed as of yesterday. The Overseas and Military ballots started being emailed out on Friday, September 20th. The Director stated that

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originally the Absentee by Mail ballots were to start going out on Friday, September 6th however this was delayed. She stated that on August 23rd the Board of Elections received an email from the State Board informing us that there were media reports indicating that Kennedy may be suspending his presidential campaign but we were to proceed as normal. As of August 27th the office received another email from the State Board that nothing had changed and to keep moving forward. Another email was received on August 28th to keep the course and to keep moving forward. An emergency meeting of the State Board of Elections was held on August 29th and the decision from the State Board at that meeting was to continue with the ballots that had been printed with Kennedy's name still on the ballot. This was sent to a Wake County judge upheld the decision of the State Board of Elections that the ballots were to remain as they were. Kennedy then appealed the decision to the NC Court of Appeals. On September 6th our office was informed that we could not mail out any ballots until later that afternoon after the Court of Appeals made their decision. The Court of Appeals reversed the decision of the Wake County judge and Kennedy's name was to be removed from the ballot. That afternoon the State Board of Elections appealed the NC Court of Appeals decision to the NC Supreme Court. Monday night, September 9th the NC Supreme Court upheld the NC Court of Appeals decision to removed Kennedy's name from the ballot. The Director stated that all of the ballots that Rockingham County had received had to be destroyed and new ballots were ordered on Tuesday, September 10th. She stated that all counties had to receive the new ballots in house before the Absentee by Mail ballots could be sent out. The State Board of Elections made the decision that the email ballots for the Overseas and Military voters were to start being emailed out on September 21st and the Civilian and VIP ballots would start being mailed out on Tuesday, September 24th. The Director stated that the counties had been informed by the State Board of Elections that the counties would be responsible for both sets of ballots being printed. She added that she received an email from the printer on Saturday, September 21st, before the decision was made by the Supreme Court, that there would be a 25% increase if the ballots had to be reprinted. The Director stated that she wanted to give the Board the timeline of what happened. She stated that the State Board did send out several press releases, this information had been on all the news channels, in the newspapers, and on social media that the absentee ballots were being delayed.

Chair Wright asked for the cost of the original ballots. The Director responded that the cost of the original ballots with shipping was \$17,542.22 and with taxes it was \$18,770.18. She added that new order for ballots is estimated at \$21,405.00. Chair Wright asked if this cost would be the responsibility of the county. The Director responded yes. Chair Wright asked if anyone had money for this since it was not included in the Elections' budget. The Director responded no.

Member Schoolfield stated that this would be an additional cost of \$5,000 plus the cost of the other ballots that had to be thrown away at a cost of over \$17,000. The Director responded that there was a cost of staffing to get the ballots ready, to take them apart, and to prepare the ballots the second time to go out so it has been a very costly experience. She added that she asked if this had ever happened before and the response was it had never happened before but it had come close before. The Director stated that most of the counties had received their ballots, Rockingham County received all of its ballots on Wednesday, September 4th and the ballots originally were supposed to go out on Friday, September 6th.

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Member Hampton stated that the first batch of ballots have been paid for in the amount of \$17,000 and they had to be destroyed. The Director responded yes. Member Hampton continued by saying that now we have to pay \$21,000 for the new set of ballots. The Director responded yes. Member Hampton stated that this was a \$21,000 increase in the budgeted amount. Secretary Totten added plus the cost of staffing. The Director stated that the last set of ballots came in Thursday morning and they had to be ready by Tuesday to go out as well as the ballots that had to go out via email on Friday.

Member Cole stated that this was caused by the Court System and had nothing to do with the Board of Elections, staff had to follow orders. His suggestion was to put together the total cost including personnel and send the bill to the Administrative Office of the Courts. Member Cole stated that he did not think we would get any help however the Court System needs to know how ridiculous the whole process was. Secretary Totten stated to multiply that by one hundred counties. Member Cole stated that the Administrative Office of the Courts needed to know what the cost was at the county level and that we would appreciate hearing from them within 10 days.

Member Schoolfield asked Member Cole if that was a motion. Chair Wright stated before the motion was acted on she would like to hear from the Director.

The Director stated that since the Board of Elections receives it's funding from the Board of Commissioners, the Board of Commissioners allocate the money for the Board of Elections to conduct the elections. She recommended that the Board of Elections ask staff to get with county management to see if the Board of Commissioners would send a letter to the State Board of Elections asking to be reimbursed since Rockingham is a Tier 1 county.

Member Cole stated that he did not care where the letter is sent but someone needed to realize what this has caused the county. The Director responded that the county may not receive anything but if the county does not ask we will definitely not receive anything.

Member Schoolfield stated that the most important thing to him was to get the dollar amount that was being thrown away out for public consumption because the pressure will have to come from the public and say that this is not the way to run a ship. The Director stated that she had the cost of the personnel cost of the first ballot preparation however she did not have that with her as well as the cost of the ballots and that is what she would like to send to the Board of Commissioners if that would be acceptable to the Board. Member Cole stated that he did not have a problem with this.

Member Cole moved, seconded by Member Schoolfield to ask the Director to get with county management to see if the Board of Commissioners will send a letter to the State Board of Elections to get reimbursement for the original cost of the ballots and personnel cost to prepare.

Member Schoolfield suggested separating the cost of the printing and the cost of lost wages.

Member Cole asked why the county had to pay an additional 25% increase on the printing. Secretary Totten responded because they could. The Director responded that the reason given was the printer had to bring on a third shift and weekend shifts. She added that North Carolina was the

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first state to start mailing out absentee by mail ballots and by the time the second order was placed other states had started their ordering of ballots as well. Member Cole stated that he did not think they really did that, 25% was just a number they threw out but we are at their mercy.

Upon a vote on the motion, the motion carried unanimously.

ITEM #11 – CLOSED SESSION

Secretary Totten moved, seconded by Member Hampton to go into Closed Session to prevent the disclosure of information that is privileged or confidential. (NCGS 143-318.11(a)(1)). The motion carried unanimously.

Secretary Totten moved, seconded by Member Hampton to go back into regular session. The motion carried unanimously.

ITEM #12 – ADJOURNMENT

At 11:49 a.m. Secretary Totten moved, seconded by Member Cole to adjourn. The motion carried unanimously.

Respectfully submitted,

Paula P. Seamster, Director

Ophelia Wright, Chair